

ORDER OF THE STATE PERSONNEL BOARD

PERRY VENARD,

Complainant,

vs.

DEPARTMENT OF CORRECTIONS,
ARKANSAS VALLEY CORRECTIONAL FACILITY,

Respondent.

The State Personnel Board (the "Board") met in public session on August 21, 2001. During this public session, the Board considered the record on appeal, including:

1. The Initial Decision of the Administrative Law Judge;
2. Order of the State Personnel Board;
3. Complainant's Opening Brief (Per Order June 26, 2001);
4. Respondent's Motion for Extension of time to File Answer Brief (Per Order June 26, 2001);
5. Order Granting, in Part, Respondent's Motion for Extension of Time;
6. Respondent's Motion for Leave to File Answer Brief on August 8, 2001;
7. Motion to Strike, Opposition to Request to File Out of Time and Request for Expedited Ruling; and
8. Respondent's Response to Complainant's Motion to Strike/Opposition to Request to File Out of Time and Request for Expedited Ruling.

The Board voted to deny Complainant's Motion to Strike, Opposition to Request to File Out of Time and Request for Expedited Ruling, granting Respondent's Motion for Leave to File Answer Brief on August 8, 2001, and accepting Respondent's Answer Brief (Per Order June 26, 2001) for consideration.

This order represents the affirmative vote of the following Board members: Joyce Lottner, Elizabeth Salkind, Linda Siderius, John Zakhem, and Melanie Daly.

In a separate motion, the Board also voted to table the matter for the next Board meeting in order to afford its members sufficient time to consider the following additional documents, which were provided to the Board at the August 21, 2001 meeting:

1. Respondent's Answer Brief (Per Order June 26, 2001);
2. Complainant's Reply Relating to Motion to Strike;
3. Motion for Permission to File Reply Brief in the Event Respondent's Brief is Accepted; and
4. Complainant's Reply Brief (Per Order June 26, 2001).

Although the Board tabled the matter until the next Board meeting, it noted that it considers timelines extremely important, as prescribed by Board Rules R-8-58 through R-8-66, "Board Review of Initial Determination."

This order represents the affirmative vote of the following Board members: Joyce Lottner, Elizabeth Salkind, Linda Siderius, John Zakhem, and Melanie Daly.

Dated this _____ day of
August, 2001.

Melanie Daly
Board Chair
State Personnel Board
1120 Lincoln Street, Suite 1420
Denver, CO 80203

CERTIFICATE OF MAILING

This is to certify that on the _____ day of August, 2001, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD** in the United States mail, postage prepaid, addressed as follows:

William S. Finger, Esq.
Frank & Finger, P.C.
29025-D Upper Bear Creek Road
P.O. Box 1477
Evergreen, CO 80437-1477

and in the interagency mail, addressed as follows:

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